

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Atty. Ref.: BJS-3665-132

FONTES et al.

TC/A.U.: 1617

Serial No. 10/521,239

Examiner: JEAN-LOUIS

Filed: April 14, 2005

Confirmation No.: 8759

For: COMPOSITIONS INTENDED FOR THE TREATMENT OF  
PERIPHERAL NEUROPATHIES, PREPARATION AND  
USES OF SAME

\* \* \* \* \*

September 2, 2009

Mail Stop 16

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**REQUEST FOR REFUND**

A refund is requested for the three month extension fee (\$1110 - fee code 1253) charged to the undersigned's Deposit Account No. 14-1140 on July 7, 2009 is requested.

Specifically, the following entry in the PTO IFW evidences the charge to the undersigned's Deposit Account:

Document code: WFEE

United States Patent and Trademark Office  
Sales Receipt for Accounting Date: 07/07/2009

JHARRIS SALE #00000004 Mailroom Dt: 06/26/2009 141140 10521239  
01 FC : 1253 1,110.00 DA

FONTES et al.  
Serial No. 10/521,239  
Atty. Ref.: 3665-132  
Refund Request  
September 2, 2009

The applicants however responded to the Office Action of March 17, 2009 on June 17, 2009, which is within the three months time provided by the Office Action of March 17, 2009, as evidenced by the following excerpt from the Office Action:

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/521,239	FONTES ET AL.	
	Examiner	Art Unit	
	SAMIRA JEAN-LOUIS	1817	
<p><b>Period for Reply</b></p> <p><b>— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —</b></p> <p>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.</p> <ul style="list-style-type: none"><li>• Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li><li>• If 90 day period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li><li>• Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li></ul> <p><b>Status</b></p>			

Refund of the erroneously charged three month extension fee (\$1110) to the undersigned's Deposit Account No. 14-1140, or further explanation for the charge, is requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: /B. J. Sadoff/  
B. J. Sadoff  
Reg. No. 36,663

BJS:  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100